

### REMARKS/ARGUMENTS

Applicant hereby requests further examination and reconsideration of the application in view of Applicant's belief that the application is in condition for allowance. Allowance of the application at an early date is respectfully requested.

Claims 4-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shima in view of Mizuta (EP 1298890). The examiner states that Shima discloses a mobile terminal for use in a wireless communication system, comprising: a housing having an inner major surface (see fig. 4a, item 22a, item and an opposed outer major surface and enclosing electronic components operable to transmit and receive telecommunication signals (see fig. 4b, item 22), the inner major surface of the housing including means for providing user input to the mobile terminal (see fig. 4a, item 3); a display having an inner major surface and an opposed outer major surface and electrically connected to the electronic components in the housing (see fig. 12, item 51), the display movably mounted to the housing for movement from a first position where the inner major surface of the display is opposite the inner major surface of the housing for at least partially concealing the user input means of the housing and a second position such that the user input means of the housing is exposed and accessible to the user; and a flip cover having an inner major surface and an opposed outer major surface and electrically connected to the electronic components in the housing, the inner major surface of the flip cover including means for providing user input to the mobile terminal, the flip cover pivotally mounted to the housing and movable between a closed position where the inner major surface of the flip cover is opposite the outer major surface of the display when the display is in the first position and an open position, the flip cover being sized to substantially conceal the outer major surface of the display and the inner major surface of the housing when in the closed position (see fig. 12; par. 0013-0015, 0093-0096), further comprising means for rotating the display (see fig. 12, item 63).

The examiner correctly notes that Shima does not specifically disclose means for rotating the display interposed between the display and the pivotal mounting, the rotating means allowing the display to rotate in a direction perpendicular to the axis of the pivotal mounting for positioning one of the inner major surface or the outer major surface of the display against the inner major surface of the housing or the flip cover. The examiner relies on Mizuta, which according to the examiner, discloses a mobile terminal for use in a wireless communication system, further comprising a rotational joint mounted between the housing and the display for allowing the display to rotate in a plane about an axis perpendicular longitudinal axis of the housing, wherein the display is mounted to the housing at a position along the longitudinal axis of the housing, wherein the rotational joint allows the display to rotate by at least about 90 degrees (see fig. 4a, 4b), thereby permitting to move the screen in the desired position. The examiner concludes it would have been obvious to one of the ordinary skill in the art at the time of invention to combine these teachings for the simple purpose of easier view to the user.

Applicant gratefully acknowledge the telephone interview of February 8, 2007, during which the references to Shima and Mizuta were discussed. The examiner stood by his rejection as stated in the current office action and summarized above.

The Applicant respectfully submits that independent claims 1 and 6 patentably distinguish from the above references. Claims 1 and 6 recite, *inter alia*, a mobile terminal a

housing, a display movably mounted to the housing for movement relative to the housing, and a flip cover pivotally mounted to the housing and movable relative to the housing and the display. Means for rotating the display, such as a rotational joint, is provided between the housing and the display for allowing the display to rotate. These features, with the advantages described above, are neither taught nor suggested by the references.

Moreover, the examiner has not made a *prima facie* case for obviousness since there is no motivation or suggestion to combine the references. Shima discloses a pivoting three-part phone. Mizuta merely shows a jackknife phone with the traditional housing and flip cover as is well known. A person of ordinary skill in the art would not be motivated by Shima to look to Mizuta to provide a rotational joint for the display. The examiner's argument is merely hindsight reconstruction in view of the presently claimed invention. Shima fails to recognize and thus realize the advantages which the Applicant has achieved in his invention, much less provide the motivation to combine with Mizuta. If the features were indeed obvious, they would have been disclosed in at least one of the references relied upon by the Examiner. Given the advantages of the claimed invention explained in the specification, and the fact that there is no motivation or suggestion for such a design for a mobile terminal, Applicant respectfully requests that the examiner withdraw the rejection.

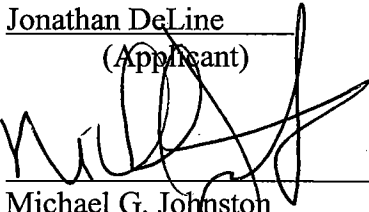
Therefore, Applicant believes claims 4 and 6 define a novel mobile terminal which is not disclosed by the prior art either alone or in any reasonable combination.

Claims 5 and 7-10 of the present application all depend from claims 4 and 6. In addition to the distinguishing features recited in claims 4 and 6 and discussed above, the mobile terminal of the present invention has additional advantageous features defined in the dependent claims which further distinguish the present invention over the prior art. The references do not disclose or suggest these features with their many advantages.

For the foregoing reasons, the Applicant respectfully submits that claims 4-10 are now in condition for allowance. Entry of the amendments and allowance of the application at an early date is respectfully requested.

Respectfully submitted,

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